

Speak up & be heard

CONSUMER REGISTER lists summaries of major consumer proposals before Federal agencies. If you wish to submit written comments, include your name & address, state the name & *Federal Register* citation of the proposal on which you are commenting and explain your views briefly & clearly.

Packaging poisons

Food & Drug Administration has announced that effective Aug. 14 household substances containing 10% or more by weight of sulfuric acid must meet child-resistant packaging standards established under the Poison Prevention Packaging Act. FDA's packaging standards require that not less than 85% of all children under 5 years of age must not be able to open the container. Even after a demonstration, not less than 80% of all children under 5 still must not be able to open the container.

Sulfuric acid is used in household products such as certain liquid drain cleaners, some containing as much as 93% of concentrated sulfuric acid. Accidental contact with household substances containing 10% or more sulfuric acid has been the cause of severe & corrosive burns to children under 5 years old.

Thirteen of the 19 comments received by FDA favored child-resistant packaging for such products.

Exempted from the standard are wet cell storage batteries containing sulfuric acid, as it is generally considered that such storage batteries are not readily accessible to children under 5 years of age.

Details—*Federal Register*: Feb. 15, page 4512.

Fireworks

Food & Drug Administration banned the use of certain fireworks devices for crop protection purposes as of March 22. Wildlife management programs (Federal, state & local) will continue to distribute such fireworks devices to farmers, ranchers or growers, as may be determined necessary. Application for their use may be made when it is considered that fireworks are the only means for protection from game animals & birds.

Primary purpose in the banning of these fireworks is to close the loophole through which dangerously explosive fireworks—such as cherry bombs & M-80 salutes—reach the public.

Details—*Federal Register*: April 5, 1972, page 6808; Feb. 20, 1973, page 4666; CONSUMER REGISTER: May 1, 1972.

Fair credit

Federal Trade Commission has announced final action on interpretations of the Fair Credit Reporting Act. The 6 final interpretations are guidelines, offering a clear statement of the consumer's legal rights & privileges under the act. The guidelines further serve to increase equitable observance of the act by business & consumers alike.

The 6 final interpretations

- Prohibit publication & distribution by credit bureaus of books containing consumers' credit ratings, called "credit guides," unless coded to insure consumers' anonymity.

- Allow the use of certain kinds of "protective bulletins" that identify check forgers, swindlers & the like—provided no information in them is used in establishing the subjects' eligibility for credit, insurance or employment.

- Require that consumers be informed by prospective lenders when they are denied credit on the basis of information furnished by loan exchanges.

- Require that when an insurance company uses a state motor vehicle report to deny or increase the cost of a consumer's insurance, it inform him of that fact & of the state agency's identity.

- Permit consumer reporting agencies to pre-screen prospects' names for credit worthiness for direct mail solicitations, so long as the user codifies that every person on the list furnished by the credit bureau will receive the solicitation.

- Conclude that reporting activities of Federal agencies, such as the Civil Service Commission, will not be included within the scope of the act.

The guidelines became effective Feb. 23, with the exception of the interpretation on credit guides. FTC determined that while credit guides in the present form are illegal (i.e., among other concerns, violate consumer's right to privacy), it will withhold enforcement activities until Aug. 23, allowing publishers of credit guides time to comply with the final interpretation.

Details—*Federal Register*: March 8, 1972, page 4982; Feb. 23, 1973, page 4945; CONSUMER REGISTER: April 1, 1972; CONSUMER NEWS: May 1971.

Aspirin packaging

The familiar 12-tablet metal containers of aspirin will be available until June 30 to allow manufacturers further time to use present stock & to provide new containers with a special child safety closure.

Food & Drug Administration granted temporary exemption from the child protection packaging requirements based on petitions by makers of Bayer Aspirin & Anacin. FDA believes the possibility of a child swallowing the total number of grains (60-75) in the small containers does not impose so great a danger that the delay should be denied.

FDA emphasized that all products containing aspirin should meet packaging requirements as soon as possible. This exemption does not include flavored aspirin.

Details—*Federal Register*: March 1, page 5459.

Off-road vehicles

April 6 is deadline for comments on proposed Defense Dept. regulations to implement the President's Executive Order 11644 on use of off-road vehicles on public lands. The executive order instructs Interior, Defense & Agriculture Depts & Tennessee Valley Authority to unify policy in the use of such vehicles on public lands under their jurisdiction.

This proposal, similar in purpose & content to that of Interior [CONSUMER REGISTER March 1], concerns Federal lands under military control. It provides for specific designation of lands where off-road vehicle use will be permitted by June 30, 1974, & develops regulations prescribing operating conditions on these lands.

Details—*Federal Register*: March 7, page 6186; CONSUMER REGISTER: March 1.

Interior Dept. has extended time for comments on its proposed regulations for use of off-road vehicles on public lands. New deadline is April 16.

Details—*Federal Register*: Feb. 14, pages 4403, 4421 & 4422; March 15, page 7008; CONSUMER REGISTER: March 1.

Children's sleepwear

April 11 is deadline for comments to Commerce Dept. on a proposed flammability standard for children's sleepwear, sizes 7-14 (ages 6-12). At present, only sleepwear sizes 0-6x (roughly age 5 & under) is covered by flammability standards. Investigation & laboratory research show that larger children's sleepwear garments also are a significant burn hazard in that 45% of sleepwear injury cases are from ages 6-12.

In its proposed standard, Commerce has presented technical requirements covering (1) garment & fabric sampling, (2) burn test criteria & procedures & (3) labeling requirements. It would limit the standard to sleepwear, sizes 7-14, & fabrics or related materials to be used in such sleepwear.

Details—*Federal Register*: March 12, page 6700. Send 4 copies of comments to Assistant Secretary for Science & Technology, Commerce Dept., Washington, DC 20230.

Car control illumination

April 13 is deadline for comments on the National Highway Traffic Safety Administration proposal to amend the motor vehicle control illumination standard.

The present standard, to be effective Sept. 1, 1973, requires that control panel illumination vary from "off" position to a position providing such intensity of lighting that a driver can easily see control positions.

Mercedes-Benz believes that drivers should always have a certain amount of light for the controls, & it has petitioned to remove the "off" position, but provide minimal illumination—which Mercedes-Benz defines as "very faint glare-free intensity which would not be annoying."

Based on the petition & because it considers adjustable control illumination an aid to safe driving, NHTSA has determined that manufacturers should have the option of providing a control with either an "off" position or one providing light specified as "barely discernible"—assumed to be of such low intensity that it does not pro-

duce glare or reflection. The adjustment of intensity will be variable from no light (or barely discernible light) to an intensity clearly lighting the controls.

Details—*Federal Register*: Feb. 27, page 5261. Send comments to: Docket Section, National Highway Traffic Safety Administration, Washington DC 20590.

Hot dogs

April 17 is deadline for comments on a substitute proposal by Agriculture Dept. to amend regulations governing content & labeling of hot dogs & other cooked sausage products. Agriculture received more than 3,000 responses to its first proposal in December & is asking again for the public's comments since this new proposal differs substantially.

There has been controversy over the term "all meat" & over what can & cannot go into frankfurters, bologna, knockwurst & similar products. There is concern that banning animal byproducts (hearts, tongues, stomachs, etc.) would affect consumers by raising prices for cooked sausage products & reducing access to these sources of protein. Comments from the public have led Agriculture to believe that consumers generally accept byproduct ingredients in hot dogs & similar products & that consumers consider byproducts nutritious & wholesome. However, consumers would like labels to show prominent & distinct identification of byproducts.

Amendment of regulations as now proposed would distinguish cooked sausage products according to ingredients & would require clear labeling so that consumers may make a choice among

1. A cooked sausage containing no animal byproducts. This sausage would be made with skeletal muscle meat &, as heretofore, could include some poultry meat as well. It would also contain required functional agents such as water, salt, sweeteners & approved curing substances.

2. A cooked sausage containing animal byproducts & otherwise similar to #1 above. Names of these products would have to show that they contain byproducts; for example, names like "Frankfurters with Byproducts" or "Frankfurters with Variety Meats" would be required under the proposed rule. Agriculture is proposing that the term "variety meats" be used synonymously with meat "byproducts" since this was a recommendation of the White House Conference on Food, Nutrition & Health in 1969.

3. A cooked sausage like #1 or #2 above, but also containing an approved nonmeat binder, such as dried skim milk or soy flour. The labels of these products would have to indicate in clear print & near the name of the product that they contained binders.

Details—*Federal Register*: Dec. 23, 1972, page 28430; March 14, 1973, page 6898; CONSUMER REGISTER: Jan. 15, 1973. Send 2 copies of comments to Hearing Clerk, Agriculture Dept., Washington, DC 20250.

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